



UNITED STATES PATENT AND TRADEMARK OFFICE



Randy D. Akins
P.O. Box 91680
Tucson AZ 85752

In re Application of
Randy D. AKINS

Application No. 10/600,418

Filed June 21, 2003

For: **SEQUENTIAL IMAGE ADVANCING
SYSTEM (THE S.I.A.S.)**

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
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DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

DECISION ON PETITION
TO MAKE SPECIAL

This is a decision on the petition filed October 5, 2004 under 37 CFR §1.102(d) to make the application special.

A grantable petition under 37 CFR §1.102(d) and MPEP §708.02, section II (Infringement), must be accompanied by the required fee and a statement alleging:

- ✓ (1) that there is an infringing device or product actually on the market or method in use;
- ✓ (2) that a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and
- ✓ (3) that he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the pertinent prior art.

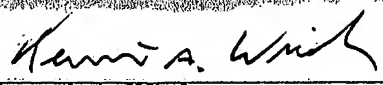
Further, Applicant must provide a copy of each of the references deemed most closely related to the subject matter encompassed by the claims if the references are not already of record.

Applicant's submission is deficient in that items (2) and (3) above have not been met. Furthermore, the required fee has not been submitted.

Accordingly, the Petition is **DENIED**.

It is noted that an application which appears to be interfering with an unexpired patent is considered to have Special status, see MPEP 708.01, sub-paragraph (F). Accordingly, the application file is being forwarded to the examiner for determination as to whether interfering subject matter exists.

Any request for reconsideration of this decision must be filed within two months of the mailing date of this decision.

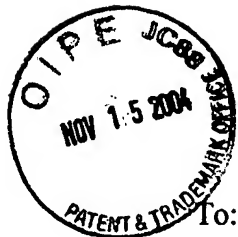

Kenneth A. Wieder
Special Program Examiner
Technology Center 2600
Communications

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page 1 of 2

To: Kenneth Wieder
Special Program Examiner
Technology Center 2600
Communications

✕ DATE: 15 November 2004

Mr. Wieder,

Thank you for your response regarding my petition to Make Special.

I have enclosed the appropriate fee to Make Special. I have made a rigid comparison of Mr. Hamilton's device (US 6,483,019) and my own Sequential Image Advancing System (100/600,418) and have found unquestionable infringement in my opinion. I thoroughly searched prior art as can be seen in my patent application. References that most closely relate to infringement on my invention are currently on record (originally sent in May 2004 and re-sent again in October 2004 by fax) and listed below.

Comparison of Mr. Hamilton's device and my own device.

Both devices have a lcd screen and a housing surrounding that screen.
Both devices function by using computer processing and computer memory.
Both devices are software driven.
Both devices relate to the electronic display of music.
Both devices are very similar to a laptop computer .
Both devices can be placed on a music stand.
Both devices allow musicians to view their particular music for their own individual instrument...(for example: a flute player's music will "look" different than a trombone player's music).
Both devices advance pages of sheet music by using touch screen or remote (radio wave) capabilities.
Both devices advance pages by foot pedals or switches.
Both devices allow the user to advance or "reverse" the presentation of music pages by using the foot pedals.
Both devices have internet capabilities by using ethernet connections.
Both devices have USB ports and expansion ports.
Both devices allow the user to download sheet music.
Both devices allow the viewing devices to be connected to an external computer along with an onboard computer processor.
Both devices allow the user to "scan" music into the computer memory for presentation on the lcd screen.
Both devices allow the user the option to present the annotations and symbols in different colors or fonts on the viewing screen.
Both devices allow the user to display more than music on the lcd screen...such as words, and other information.

Randy Allen -7

Both devices allow the user to load music by use of software or cd-rom.

Both devices present music symbols, music staves and other symbols (that are presented by a traditional selection of music or printed on a page of sheet music) on the viewing lcd viewing screen.

Both devices allow the user to control how the music is presented on the lcd screen.

Both devices allow the user to access the (stored individual selections of music) from a storage index or table of contents.

Both devices have MIDI capabilities.

Both devices allow for "timed or automatic" page advancing.

Both devices have a storage system, retrieving system, editing system and presenting systems.

Both devices can be connected to other similar display screens allowing plurality of viewers (for example: all musicians in a band or orchestra).by way of wires, computer cables and/or remotes (radio frequencies or more advanced wire-less controllers).

Both devices have the ability to allow the user to input information (Mr. Hamilton presents a "stylus" and my invention has navigational buttons along with capabilities to allow the user to use a computer keyboard to "type" information and symbols will help the user while performing.

Both devices are focused on helping musicians turn pages with or without the musician having to reach in order to turn a printed-page of music.

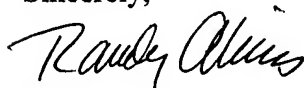
Both devices can be used by one individual (for example: a pianist) or by many musicians

Both devices can be built into a music stand.

Mr. Hamilton's invention is a duplicate of my invention. I am asking to make this case Special and it is my continued hope that the Patent Examiners will see that Mr. Hamilton has made an infringement on my Sequential Image Advancing Device.

Please Make Special,

Sincerely,



Randy Akins

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